

FILED
for Roanoke
MAY 26 2009

JOHN F. CORCORAN, CLERK
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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

VINCE GILMER,
Plaintiff,

v.

DR. OFOGH, et al.,
Defendants.

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Civil Action No. 7:08-cv-00618

ORDER

By: Hon. Jackson L. Kiser
Senior United States District Judge

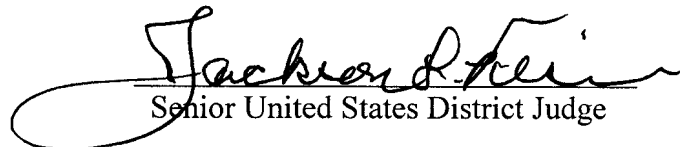
In accordance with the written memorandum opinion entered this day, it is hereby

ORDERED

that Gilmer's complaint is **DISMISSED** for failing to state a claim upon which relief may be granted, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), because the claims are untimely; and the case is **STRICKEN** from the active docket of the court.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to the plaintiff.

ENTER: This 20th day of May, 2009.


Senior United States District Judge